

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BRENTON ULLMAN, et al.,

Plaintiffs,

v.

DENCO, INC., et al.,

Defendants.

**No. 14-cv-0843 SMV/GBW
consolidated with**

**Nos. 15-cv-0034 SMV/GBW
15-cv-0066 SMV/GBW
15-cv-0068 SMV/GBW
15-cv-0081 SMV/GBW
15-cv-0090 SMV/GBW
15-cv-0097 SMV/GBW
15-cv-0104 SMV/GBW
15-cv-0127 SMV/GBW
15-cv-0157 SMV/GBW
15-cv-0158 SMV/GBW
15-cv-0163 SMV/GBW**

**ORDER DENYING WITHOUT PREJUDICE
PLAINTIFFS' MOTION TO REVISE AMENDED ORDER OF CONSOLIDATION**

THIS MATTER is before the Court on Plaintiffs' Motion to Revise Amended Consolidation Order [Doc. 152], filed on August 20, 2015. Defendants responded on September 3, 2015. [Doc. 158]. Plaintiffs replied on September 17, 2015. [Doc. 168]. The Court, having reviewed the briefing, record, and relevant law and being otherwise fully advised in the premises, will deny the motion without prejudice.

The present dispute is whether there will be a single trial for all of the above-numbered cases or whether there will be more than one trial. There is no dispute that the cases are (and should be) consolidated for pretrial purposes and that Judge Wormuth will manage all discovery and non-dispositive matters for all cases. There is also no dispute that all parties consent to the undersigned's presiding over all cases and entering final judgment(s). The dispute is whether there will be one—or more than one—trial.

The Court declines to determine at this time whether there will be only one trial or multiple trials. Such a determination is better left until after discovery and after the parties have participated in a settlement conference. At such time, if Plaintiffs wish to revisit the matter, they may refile their motion, subject to the pretrial motions deadline.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiffs' Motion to Revise Amended Consolidation Order [Doc. 152] is **DENIED without prejudice**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge
Presiding by Consent